

REMARKS

Claims 1-20, 22-28, 33 and 34 presently appear in this case. No claims have yet been acted upon on the merits. All of the claims have been subject to a restriction requirement. The official action of September 2, 2003, has now been carefully studied. Reconsideration and allowance are hereby respectfully urged.

The examiner states that the application contains the following inventions or groups of inventions that are not so linked as to form a single general inventive concept under PCT Rule 13.1:

Group I, including comprising claims 1-18, drawn to a method for amplification of at least one nucleic acid; and

Group II, including comprising claims 19-28 and 33 (and presumably also claim 34), drawn to a plurality of different nucleic acid templates, a solid support, and a kit for use in nucleic acid amplification or sequencing.

The examiner states that the groups do not relate to a single general inventive concept as they lack the same or corresponding special technical feature because the special technical feature linking groups I and II, i.e., the plurality of different nucleic acid templates recited in claim 19, are known in the art, the examiner citing Smith et al. This requirement is respectfully traversed.

In order to be responsive, applicants hereby elect Group I, presently including claims 1-18. However, the claims have now been amended so as to clearly define over Smith and

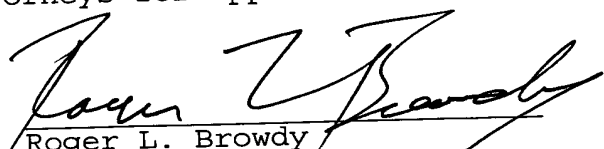
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still retain a special technical feature. Claims 19 and 21 have now been combined so that the composition requires not only a plurality of different nucleic acid templates, but also a plurality of colony primers X. Such a mixture of templates and primers is not disclosed by Smith and are required by the methods of Group I. Accordingly, the special technical feature that links Groups I and II is the mixture of primers and templates, which mixture defines over the prior art. Accordingly, the inventions listed as Groups I and II relate to a single general inventive concept. Reconsideration and withdrawal of this restriction requirement are respectfully urged.

It is submitted that all of the claims now present in the case are now in condition for examination and allowance. Prompt consideration on the merits and allowance are, therefore, earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By 
Roger L. Browdy
Registration No. 25,618

RLB:rd
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
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